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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE SEAGATE TECHNOLOGY LLC
LITIGATION

CONSOLIDATED ACTION

No. 3:16-cv-00523-JCS

FURTHER JOINT CASE MANAGEMENT
STATEMENT

DATE: April 12, 2019
TIME: 10:00 a.m.
DEPT: Hon. Joseph C. Spero
Courtroom G, 15th Floor

Complaint filed: May 9, 2016

1 The parties submit this further joint case management statement pursuant to the Standing
2 Order for Judges of the Northern District of California and Civil Local Rule 16-9. A case
3 management conference is scheduled in this matter on April 12, 2019.

4 **I. JOINT CASE MANAGEMENT STATEMENT**

5 **1. Jurisdiction and Service**

6 There are no outstanding issues regarding jurisdiction and service.

7 **2. Facts**

8 The parties have extensively discussed the facts in the prior motions for class certification
9 and do not repeat them here.

10 **3. Legal Issues**

11 The parties have extensively discussed the legal issues in the prior motions for class
12 certification and do not repeat them here.

13 **4. Motions**

14 There are no outstanding motions at this time.

15 **5. Amendment of Pleadings**

16 The parties do not expect to amend pleadings at this time.

17 **6. Evidence Preservation**

18 Plaintiffs are unaware of any issues relating to evidence preservation at this time.

19 **7. Disclosures**

20 Both parties have complied with the initial disclosure requirements of Federal Rule of Civil
21 Procedure 26.

22 **8. Discovery**

23 The parties do not expect to undergo any additional discovery at this time.

24 **9. Class Actions**

25 The court has denied class certification in this matter and plaintiffs are proceeding to resolve
26 their individual claims.

1 **10. Related Cases**

2 As previously reported by the parties, a putative class action containing similar allegations
3 about Seagate's 3TB hard drives is currently pending in San Francisco Superior Court, *Pozar v.*
4 *Seagate Technology LLC*, No. CGC-15-547787 (filed September 4, 2015) (alleging California class).
5 Judge Karnow certified a California class under UCL and CLRA based on omissions.

6 **11. Relief**

7 Plaintiffs seek damages based on Seagate's failure to disclose the unreliability of its drives.

8 **12. Settlement and ADR**

9 The parties have reached a settlement in principle and are in the process of obtaining final
10 approval to a drafted agreement. Because the parties have agreed to a settlement in principle,
11 Plaintiffs expect to file a motion for dismissal in the next fourteen (14) days.

12 **13. Consent to Magistrate Judge for All Purposes**

13 The parties have consented to a Magistrate Judge for all purposes.

14 **14. Other References**

15 The parties do not believe the case is suitable for reference to binding arbitration, a special
16 master, or the Judicial Panel on Multidistrict Litigation.

17 **15. Narrowing of Issues**

18 The parties are not aware of issues that can be narrowed by agreement or motion at this time.

19 **16. Expedited Trial Procedure**

20 The parties do not believe that this case can be handled under the Expedited Trial Procedure
21 of General Order 64.

22 **17. Scheduling**

23 Because the parties are in the process of finalizing a settlement agreement, Plaintiffs
24 anticipate filing a motion to dismiss within the next fourteen (14) days.

25 **18. Trial**

26 The parties have reached a settlement in principle and do not expect to proceed to trial.
27
28

19. Disclosure of Non-Party Interested Entities or Persons

Plaintiffs are unaware of any non-parties who have either (i) a financial interest in the subject matter in controversy or in a party to the proceeding; or (ii) any other kind of interest that could be substantially affected by the outcome of the proceeding.

20. Professional Conduct

The parties have reviewed the Guidelines for Professional Conduct for the Northern District of California.

21. Other

The parties are unaware of any other matters that may facilitate the just, speedy and inexpensive disposition of this matter.

DATED: April 5, 2019

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1 DATED: April 5, 2019

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ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

I, Shana E. Scarlett, am the ECF User whose identification and password are being used to file this Further Joint Case Management Statement. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that all signatories have concurred in this filing.

s/ Shana E. Scarlett
SHANA E. SCARLETT